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### Remarks

Applicant respectfully requests reconsideration of this application as amended.

Claims 1, 11, 21, 27, and 31 have been amended. No claims have been cancelled or added.

Claims 34 and 35 were previously cancelled. Therefore, claims 1-33 and 36-39 are presented for examination.

### 35 U.S.C. §103(a) Rejection

Claims 1, 3-6, 10, 11, 13-16, 20-25, 27-29, 31-32, 36 and 38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz et al. (U.S. Pub. No. 2003/0046421) (hereinafter "Horvitz '421"), in further view of Horvitz (U.S. Pub. No. 2002/0087649) (hereinafter "Horvitz '649"). Applicant submits that the present claims are patentable over Horvitz '421 in view of Horvitz '649.

Horvitz '421 discloses a system that provides controls and displays for acquiring user preferences, inspecting behavior, and guiding learning and decision policies of an adaptive communications prioritization and routing system. (See Horvitz '421 at ¶ [0007].) Horvitz '649 discloses a system and methodology for reducing disruption costs associated with notifying a user of messages, automated assistance, and/or alerts. (See Horvitz '649 at Abstract.)

Amended claim 1 of the present application recites, in part, "handling, by the digital assistant, the event without contacting the user if the level of importance of the event is greater than or equal to a first threshold and less than or equal to a second threshold, the handling including the digital assistant using profile information of the user of the digital assistant, rules set by the user, technological obstacles, geographical obstacles, and any other

previously attempted contacts to determine whether to contact someone associated with the event and who to contact associated with the event, in order to resolve the event." (Emphasis added.) Support for this amended feature can be found at paragraph [0047] of the description of the present application.

Applicant submits that Horvitz '421 does not disclose or suggest a digital assistant handling an event, the handling includes the digital assistant using profile information of the user of the digital assistant, rules set by the user, technological obstacles, geographical obstacles, and any other previously attempted contacts to determine whether to contact someone associated with the event and who to contact associated with the event, in order to resolve the event, as recited by claim 1. The Office Action states that Horvitz '421's "auto-reply feature is interpreted as the actual resolution of the event.... The act of responding to the originator is interpreted as the resolution of the event." (Office Action mailed 12/14/07 at pg. 3.)

However, nowhere in the cited portion of Horvitz '421 is there disclosed handling, where the handling includes the digital assistant using profile information of the user of the digital assistant, rules set by the user, technological obstacles, geographical obstacles, and any other previously attempted contacts to determine whether to contact someone associated with the event and who to contact associated with the event, in order to resolve the event. The description in Horvitz '421, as affirmed by the Office Action, only provides for auto-replying to an originator of the event or sender of the text based on a very general "routing criteria". (Horvitz at paragraph [0275].) The auto-reply feature of Horvitz does not use profile information of the user, rules set by the user, technological obstacles, geographical obstacles, and any other previously attempted contacts to determine whether to contact

someone associated with the event and who to contact associated with the event, in order to resolve the event. The auto-reply feature of Horvitz '421 is limited only to automatically responding to an originator of the event and does not take into account any of the above factors. It also does not take into account possibly contacting someone other than the originator of the event. As such, Horvitz '421 does not disclose or suggest the cited feature of claim 1.

In addition, applicant can find no disclosure or suggestion of such a feature anywhere in Horvitz '649. As neither Horvitz '421 nor Horvitz '649, individually or in combination, disclose or suggest the cited feature of claim 1, applicant respectfully submits that claim 1, as well as its dependent claims, is patentable over Horvitz '421 in view of Horvitz '649.

Independent claims 11, 21, 27, and 31 recite limitations similar to those recited in claim 1. Therefore, claims 11, 21, 27, and 31, as well as their respective dependent claims, are patentable over Horvitz for the reasons discussed above with respect to claim 1.

Claims 2, 12, 27, and 39 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz '421 in view of Horvitz '649 and further in view of what was well known in the art. Applicant submits that the present claims all depend from one of the independent claims. As discussed above, the independent claims are patentable over Horvitz '421 in view of Horvitz '649. What is well known in the art does not remedy the deficiencies of Horvitz '421 in view of Horvitz '649 as far as disclosing the claims of the present application. As a result, the present claims are also patentable over Horvitz '421 in view of Horvitz '649, even in view of what is well known in the art.

Claims 7, 17, 26, and 30 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz '421 and Horvitz '649 in view of Fisher et al. (U.S. Patent No. 5,835,896). Applicant submits that the present claims all depend from one of the independent claims. As discussed above, the independent claims are patentable over Horvitz '421 in view of Horvitz '649. Fisher does not remedy the deficiencies of Horvitz '421 in view of Horvitz '649 as far as disclosing the claims of the present application. As a result, the present claims are also patentable over Horvitz '421 in view of Horvitz '649, even in view of Fisher.

Claims 8-9, 18-19, and 33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horvitz '421 in view of Horvitz '649. Applicant submits that the present claims all depend from one of the independent claims. As discussed above, the independent claims are patentable over Horvitz '421 in view of Horvitz '649. As a result, the present claims are also patentable over Horvitz '421 in view of Horvitz '649.

Applicant respectfully submits that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

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The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

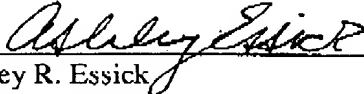
Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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